Court No. 2

Civil Misc. Writ Petition No. 989 (M/S) of 2001
(Old No. 14945 of 1998)

State of U.P. & two others ..... Petitioners

Versus

Presiding Officer, Labour Court
Dehradun and another. ..... Respondents.

.....

Hon'ble P.C. Verma, J.

Heard learned Standing Counsel as well as learned counsel for the respondent No. 2.

The case of the respondent No. 2 is that he worked as Chowkidar /Beldar with the employer establishment on daily wages but on 30.9.1988 his services were terminated without giving prior notice to him, and without complying the provisions of Section 6 N of U.P. Industrial Disputes Act, on the ground that the engagement of workman on muster-roll has been stopped.

The Labour Court held that the termination of workman was illegal and improper and directed the petitioners to reinstate the respondent No. 2 in service in view of Government Order dated 24.2.1997.

The controversy is squarely covered by the judgment of this Court in Civil Misc. Writ Petition No. 1530 (M/S) of 2001, State of U.P. versus Presiding Officer, Labour Court and another delivered on 24.10.2002 in which the establishment has been held to be an 'Industry' and the respondents have been held to be workmen. Therefore, the judgment of Labour Court does not suffer from any illegality or infirmity.

Accordingly, the writ petition is dismissed. No order as to costs.

29.03.2003 **(P.C. Verma, J.)**
P.Singh